

REMARKS

At the time of the Office Action dated April 8, 2003, claims 2-7 were pending in this application. The Examiner rejected claims 2-4 and 7. Claims 5 and 6 were objected to as being dependent upon a rejected base claim and indicated allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. By way of this amendment, claims 5 and 6 have been written in independent form including the limitations of base claim 2 and intervening claim 4. Care has been exercised to avoid the introduction of new matter. Support for the amendment is found in the original claims. Accordingly, claims 5 and 6 are believed to be in condition for allowance. Thus, the only remaining issue pivots about the patentability of claims 2, 3, 4 and 7.

Claims 2-4 and 7 were rejected under 35 U.S.C. § 102(e) as being anticipated by Root (U.S. Pat. No. 6,201,402). The Examiner referenced FIGS. 1a-1d and asserted that Root discloses the apparatus of claims 2-4 and the testing method of claim 7. Applicants traverse.

In response to Applicants' arguments filed on February 25, 2003, the Examiner stated that it appears that the plurality of probe units may be moved concurrently in X and Y directions, or alternatively, each probe may be moved independently. The Examiner relied on col. 1, lines 49-62 to support this assertion, which is repeated for convenience:

The present invention provides a system and method for a plurality of probe tiles and a probe platform for electrically probing a semiconductor wafer over a broad area of the semiconductor wafer. Nine ceramic tiles are configured in a flat three by three matrix, and are held in place by a probing platform. Each tile may be moved independently in an X and Y direction. The probe platform has three control knobs on the side to move a tile in the X direction and three control knobs on the front to move a tile in the Y direction. The control knobs are attached to transmission shafts which slide back and forth into three ball detent positions. The ball detent positions determine which tile is engaged and can be manipulated. The ceramic tiles hold self-aligning tungsten probe tips to permit semiconductor wafer testing over a wide temperature range.

It appears that the Examiner relied on the single phrase, "may be moved", as evidence that the plurality of probe units is capable of moving concurrently in X and Y directions, or alternatively, each probe may be moved independently. However, Applicants respectfully, but strenuously, disagree with the Examiner's interpretation of the reference.

Root discloses at col. 1, lines 49-62, that each tile is moved independently in an X and Y direction with the control knobs 108 and 107. However, in contrast, claim 2 describes in pertinent part, that all of said probe units being concurrently (i.e. all at a time) movable along the rails included in the first rail group and the second rail group. Similarly, claim 7 recites, in pertinent part, that the plurality of probe units is concurrently adjusted. Applicants submit that Root is not capable of concurrently moving or adjusting a plurality of probing units along the rails, since as stated above, each tile is moved independently in a X and Y direction with the control knobs 108 and 107.

The Examiner's attention is invited to the control knobs 107, 108 of Root, depicted in Figure 1A. As stated at col. 1, lines 49-62, Root discloses that the probe platform has three control knobs on the side to move a tile in the X direction and three control knobs on the front to move a tile in the Y direction. **The control knobs are attached to transmission shafts which slide back and forth into three ball detent positions. The ball detent positions determine which tile is engaged and can be manipulated.** Moreover, at col. 3, lines 19-31, Root further details the control knob structure as follows:

A front transmission shaft 109 or a side transmission shaft 111 is connected to three gears 101. The front transmission shaft 109 or the side transmission shaft 111 transmits rotational power to the connected gears 101. Each round front control knob 107 and front transmission shaft 109 or each round side control knob 108 and side transmission shaft 111 is connected to a round detent strike 123. **The detent strike 123, together**

with a ball plunger 135, permits the user to engage only one gear at a time by sliding it back and forth in three detent positions 102. A gear 101 is connected to a front transmission shaft 109 or a side transmission shaft 111. The gear transmits rotational input from the front transmission shaft 109 or the side transmission shaft 111 to a stub shaft gear 103 (emphasis added).

Thus, Root's ball detent positioning mechanism prevents the user from concurrently moving all of said probe units concurrently along the rails, since the user must select from one of the three available ball detent positions, and as stated above, the ball detent position determines which tile (singular) is engaged and manipulated. Accordingly, Root fails to disclose every limitation of the present claims and therefore the rejection of claims 2-4 and 7 under 35 U.S.C. § 102(e) is not legally viable. *In re Rijckaert*, 9 F.3d 1531, 28 USPQ2d 1955 (Fed. Cir. 1993); *Lindemann Maschinenfabrik GMBH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481 (Fed. Cir. 1984).

It is believed that all pending claims are now in condition for allowance. Applicant therefore respectfully requests an early and favorable reconsideration and allowance of this application. If there are any outstanding issues which might be resolved by an interview or an Examiner's amendment, the Examiner is invited to call Applicant's representative at the telephone number shown below.

09/987,893

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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